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6 **IN THE UNITED STATES DISTRICT COURT FOR THE**
7 **EASTERN DISTRICT OF CALIFORNIA**
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9 **ERNEST MERRILL, LILA MERRILL**)
10)
11 **Plaintiffs,**)
12 **v.**)
13 **COUNTY OF MADERA, et al.,**)
14 **Defendants.**)
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CV F 05-0195 AWI SMS

ORDER VACATING JANUARY 16,
2007 HEARING DATE AND TAKING
MOTION UNDER SUBMISSION

16 Defendants' motion for summary judgment has been set for hearing on January 16, 2007.
17 The court has reviewed the moving papers, opposition, and reply and has determined that these
18 motions are suitable for decision without oral argument. Local Rule 78-230(h).

19 Therefore, IT IS HEREBY ORDERED that the previously set hearing date of January 16,
20 2007 is VACATED, and the parties shall not appear at that time. As of January 16, 2007, the
21 court will take these motions under submission, and will thereafter issue its decision.
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23 IT IS SO ORDERED.

24 **Dated: January 10, 2007**
0m8i78

/s/ Anthony W. Ishii
UNITED STATES DISTRICT JUDGE